

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 18, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CALVIN JAMES HUNT,

Defendant.

No. 1:21-CR-02029-SAB-2

**ORDER GRANTING UNITED
STATES' MOTIONS FOR
(1) PROTECTIVE ORDER; AND
(2) DISCLOSURE TO
DEFENDANT WITHOUT
UNSEALING DOCUMENTS**

Before the Court is the United States of America's Motion to Disclose to Defense Counsel but Not Unsealing, ECF No. 229, and Motion for Protective Order, ECF No. 231. The motions were filed with associated motions to expedite. ECF Nos. 230, 232. The United States is represented by Michael Ellis and Timothy Ohms. Defendant is represented by Ulvar Klein.

The United States moves the Court to (1) enter an order for disclosure of certain sealed documents to Defendant's counsel, without unsealing them, and granting leave to reference the existence of said documents in Court; and (2) enter a protective order to avoid disclosure of sealed documents or otherwise sensitive information to third parties.

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**ORDER GRANTING UNITED STATES' MOTIONS FOR
(1) PROTECTIVE ORDER; AND (2) DISCLOSURE TO DEFENDANT
WITHOUT UNSEALING DOCUMENTS *1**

1 The United States indicates that Defendant's counsel did not object to either
2 the proposed disclosure order or protective order.

3 The Court finds good cause for the case materials listed in the United States'
4 motion to remain sealed. It also finds good cause to enter a protective order
5 because certain documents concern sensitive information of a third-party juvenile.
6 Accordingly, both motions are granted.

7 Accordingly, it is **HEREBY ORDERED**:

8 1. The United States' Motion to Disclose to Defense Counsel but Not
9 Unsealing, ECF No. 229, and associated Motion to Expedite, ECF No. 230, are
10 **GRANTED**.

11 2. The materials listed in the United States' Motion to Disclose shall
12 remain sealed but may be provided to Defendant's counsel. The United States may
13 redact the identities and activities of individuals it anticipates may yet be charged
14 from documents prior to making them available to Defendant's counsel. An
15 attorney for the United States, Defendant's counsel in this matter, and/or any
16 witness appearing in Court in any hearings related to this case are authorized to
17 make open-court and/or closed-court references to the existence and/or content of
18 such sealed documents. Any future pleadings that reference the contents of
19 materials listed in the United States Motion to Disclose shall be filed under seal.

20 3. The United States' Motion for Protective Order, ECF No. 231, and
21 associated Motion to Expedite, ECF No. 232, are **GRANTED**.

22 4. The United States shall provide discovery materials on an on-going
23 basis to Defendant's counsel. Defendant's counsel may possess, but not copy
24 (excluding production of necessary working copies), all discovery materials.
25 Defendant's counsel may show to, and discuss with the Defendant, all discovery
26 materials. Defendant's counsel shall not provide original or copies of discovery
27 materials to the Defendant. This is meant to include verbatim, or close to verbatim,
28 recitations of discovery produced to Defendant's counsel. Defendant's counsel

**ORDER GRANTING UNITED STATES' MOTIONS FOR
(1) PROTECTIVE ORDER; AND (2) DISCLOSURE TO DEFENDANT
WITHOUT UNSEALING DOCUMENTS *2**

1 shall not otherwise provide original or copies of the discovery material to any other
2 person, including subsequently appointed or retained counsel for Defendant, but
3 excluding any staff of counsel, investigator, and/or expert engaged by Defendant's
4 counsel, who will also be bound by the terms and conditions of this Protective
5 Order. An attorney for the United States, Defendant's counsel in this matter, and/or
6 any witness appearing in Court in any hearings related to this case are authorized
7 to make open-court and/or closed-court references to the existence and/or content
8 of such sealed documents; provided, however, that any written reference to the
9 content of the protected discovery shall be filed under seal.

10 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
11 this Order and provide copies to counsel.

12 **DATED** this 18th day of January 2023.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

Stanley A. Bastian
Chief United States District Judge